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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**IN RE: NESTLE BOOST NUTRITIONAL
DRINK LITIGATION**

Case No. 3:21-cv-09812-JSC

**JOINT FURTHER CASE
MANAGEMENT STATEMENT**

Date: January 23, 2025
Time: 2:30 p.m.
Location: Zoom
Judge: Hon. Jacqueline Scott Corley

Date Action Filed: December 20, 2021

1 Plaintiffs Bruce Horti, Sandra George, and Steven Owen (“Plaintiffs”), and Nestlé
 2 Healthcare Nutrition, Inc. (“Defendant”) (together, the “parties”), hereby submit this Joint Case
 3 Management Statement.

4 **1. Anticipated Motions**

5 Plaintiffs anticipate filing a motion for class certification on the currently set deadline of
 6 March 10, 2025. The Parties note that the hearing on the motion for class certification was
 7 erroneously set for Saturday, April 5, 2025. Since Plaintiffs’ reply is due May 12, 2025, the Parties
 8 propose that the hearing be rescheduled for Thursday, June 5, 2025 at 10:00 a.m.

9 Defendant intends to oppose any motion for class certification filed by Plaintiffs. Defendant
 10 also anticipates filing a motion for summary judgment as to Plaintiffs’ individual claims.

11 **2. Discovery**

12 The parties have been working cooperatively on discovery matters, including written
 13 discovery, document requests, and depositions by all parties. Plaintiffs are reviewing recent
 14 deposition transcripts and anticipate that they will identify additional discovery requests.

15 **3. Settlement and ADR**

16 The parties held a joint mediation on November 7, 2024 with The Honorable (Ret.) Ronald
 17 M. Sabraw. The mediation did not result in settlement. The parties do not anticipate engaging in
 18 further settlement discussions until after resolution of their anticipated motions.

19 Respectfully submitted,

20 Dated: January 16, 2025

21 /s/ Trenton R. Kashima
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Dated: January 16, 2025

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*Co-Lead Interim Class Counsel for Plaintiffs and
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Date: January 16, 2025

Respectfully submitted,

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SIGNATURE ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that all signatories have concurred in its filing.

DATED: January 16, 2025

/s/ Laurence D. King
Laurence D. King